

USDC SDNY  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** 5/2/2023

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PAUL BETANCES, et al.,

Plaintiffs,

- against -

BRIAN FISCHER, in his capacity as  
Commissioner of the New York State  
Department of Correctional Services (DOCS),  
and in his individual capacity, et al.,

Defendants.

11-CV-3200 (RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Having reviewed counsels' dates of availability (Dkts. 383-84), the trial of general damages for loss of liberty will take place starting November 28, 2023 at 9:30a.m. in Courtroom 18D, 500 Pearl Street, New York, NY, 10007. The foregoing assumes that issues pending before the Court do not warrant decertification of the class before trial. In the event the Court determines that decertification is warranted, the class-wide trial of general damages for loss of liberty will not proceed.

SO ORDERED.



ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: May 2, 2023  
New York, New York

Copies transmitted this date to all counsel of record.